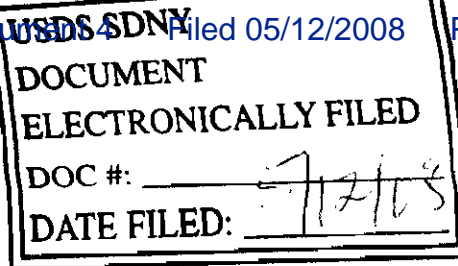


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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANTOINE VINCENT,

Plaintiff,

- v. -

MARY ANN GANTNER, District Director,  
U.S. Citizenship and Immigration Services,  
New York District,

Defendant.  
-----X

:  
: STIPULATION AND  
: ORDER OF DISMISSAL

:  
: 08 Civ. 2149 (HB)

IT IS STIPULATED AND AGREED, by and between the undersigned counsel for the parties, that the above-captioned action be, and hereby is, dismissed without prejudice and without costs or attorney's fees to any party, subject to plaintiff's right to reinstate the action within 90 days of the entry of this stipulation and order, by written notice to the Court, upon 10 days' prior notice to the United States Attorney's Office for the Southern District of New York, if United States Citizenship and Immigration Services has not reopened plaintiff's adjustment application before that date.

Dated: Brooklyn, New York  
April 29, 2008

~~LUBNER & WEISS, PC~~  
Attorneys for Plaintiff

By: \_\_\_\_\_

DONALD. J. WEISS, ESQ.  
26 Court Street  
Brooklyn, NY 11242  
Tel. No. (718) 596-9122

Dated: New York, New York  
April 30, 2008

MICHAEL J. GARCIA  
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Attorney for Defendants

By: \_\_\_\_\_

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SO ORDERED:

HON. HAROLD BAER  
UNITED STATES DISTRICT JUDGE